

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TYSON HANNER, :
Plaintiff, : ORDER

- against - : 07 Civ. 9855 (DC)

OFFICER DELLARIPA et al., :
Defendant. :
- - - - - x

CHIN, District Judge

Pro se plaintiff filed his complaint on November 7, 2007, and a summons was issued. Plaintiff was incarcerated at the time. The Court's Pro Se Office sent plaintiff a package containing the materials necessary for serving defendants. That package was returned to the Pro Se Office because plaintiff had evidently been released from the jail listed as his address of record following his filing the complaint.

On January 28, 2008, a representative from the Pro Se Office spoke with plaintiff and notified him that he needed to provide the Court with his current address so that the Court could provide him with the materials necessary for serving defendants. The representative also told him that an amended summons would be issued when he provided that information. Plaintiff failed to provide the Court with his current address.

Defendants have not been served and there has been no activity in this case since the complaint was filed on November 7, 2007. As plaintiff has failed to file an affidavit of service with the Court, it is HEREBY ORDERED that the above-captioned

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action is dismissed without prejudice in accordance with Fed. R. Civ. P. 4 (m) .

SO ORDERED.

Date: New York, New York
May 6, 2008



DENNY CHIN
United States District Judge